United Nations S/2008/766

Security Council

Distr.: General
5 December 2008

Original: English

Letter dated 4 December 2008 from the Permanent Representative of Djibouti to the United Nations addressed to the President of the Security Council

I have the honour to transmit to you, enclosed herewith, a letter from the President of the Republic of Djibouti, Ismail Omar Guelleh, concerning the Djibouti-Eritrea conflict.

(*Signed*) Roble **Olhaye**

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Annex to the letter dated 4 December 2008 from the Permanent Representative of Djibouti to the United Nations addressed to the President of the Security Council

Given the possibility that a draft resolution may soon be tabled on the Djibouti-Eritrea conflict, I believe it would be useful to provide the members of the Security Council with our perspectives and clarifications on a host of deliberate inaccuracies and patently false statements emanating from Eritrea's leader and his representatives.

In the past nine months or so since the sudden, unprovoked and pointless occupation of parts of my country by Eritrea, my people have become painfully aware that Eritrea's commitment and interest in quickly reversing its blatant aggression has yet to be demonstrated. Eritrea is the neighbour we least expected to undertake yet another reckless venture in our region, given that its hands are already full. In fact we thought, naively perhaps, that over the years, confidence had been rebuilt and mutual respect restored.

Since early May 2008, we have requested the Security Council and the Secretariat, as well as subregional and regional organizations, to draw their attention to Eritrea's major military build-up on our common border at Ras Doumeira. We implored all the organizations to consider swiftly dispatching field or fact-finding missions to evaluate the situation and to explore possible ways of reducing tension. In the midst of these endeavours, clashes occurred on 10 and 11 June, which claimed lives and wounded many, with prisoners taken on both sides. Against this sudden flare-up, the Security Council issued its first presidential statement on 12 June, condemning Eritrea while demanding the cessation of hostilities and the immediate withdrawal of forces to the status quo ante. Other subregional and regional organizations likewise issued similar statements. Our Government heeded the call of the Council and other organizations and withdrew its forces from the border. Eritrea's first reaction, on 11 June, resulted in a statement expressing refusal to become involved in "squabbles and acts of hostility designed to undermine good-neighbourliness".

With the growing tension in the region, the African Union, the League of Arab States and the Organization of Islamic Conference initiated goodwill missions to both countries and field visits to Ras Doumeira and Doumeira Island. Djibouti facilitated an fully cooperated with all the missions, including site visits. Eritrea, however, systematically denied the existence of any conflict, let alone the bloody clash that had occurred, and refused the missions permission to enter the country. The Secretariat continued to reiterate at every briefing to the Security Council that it did not have a presence in the area and that its information was based on the reports of others. Against that background, in June 2008, I dispatched my Prime Minister to New York to interact with the Secretary-General and to brief members of the Council, before addressing the Council on 24 June 2008. The main outcome of his mission was a decision by the Council to dispatch a fact-finding mission to both countries and to the conflict zone in order to evaluate the growing tensions first hand. However, despite the Secretariat's efforts, the mission visited only Djibouti and the border area, but was denied clearance, as expected, to go to Asmara. After an interval of almost three months, the Secretary-General submitted, on 11 September 2008, the report of the fact-finding mission to the Council

(S/2008/602, annex). According to the Secretariat's briefing on 14 September to introduce the report:

> "The highlight of the mission's activities in Djibouti was a field visit to the Doumeira area, along the border with Eritrea, where the Mission observed the deployment of the two armies and established that the Djibouti military had withdrawn into its own territory, following the Security Council's call for restraint and withdrawal to both parties on 12 June".

The report flatly stated that:

> "There can be no viable military solution to the crisis. Any hostilities between Djibouti and Eritrea would have serious adverse implication for regional and international peace and security. An immediate priority of the Security Council would be to call for Eritrea to demilitarize the border, discontinue its occupation of the Doumeira area and return its forces to their positions before February 2008. The Security Council may wish to consider using all the means at its disposal to persuade Eritrea to withdraw from the areas that it has occupied since March this year".

In conjunction with my recent visit to North America, I had the opportunity to meet with the Secretary-General, and to address the Council, on 23 October, not so much to speak on the "latest developments", because there were none, but to highlight and underscore the gravity of the situation that deserves the Council's undivided attention. Djibouti's consistent demonstration of restraint and the withdrawal of its forces appear to have only encouraged Eritrea to solidify its hold on our territory. A stalemate has developed that only serves Eritrea's interest. The intense and sustained regional and international diplomatic efforts since May 2008, in the hope of finding a solution to the crisis, has been met with disdain and outright rejection by the Eritrean authorities. By its actions and its inaction, Eritrea continues to undertake deceitful, arrogant and misleading moves at different levels, which are tantamount to an utter contempt for Djibouti's persistent efforts as well as those of the United Nations and regional organizations. Sufficient time has already elapsed for Eritrea to demonstrate goodwill, interest and peaceful intentions, rather than the outright denial of facts on the ground, rebuffs to any mediation or facilitation and the establishment of facts.

Repeatedly, Eritrea's leader and his representatives have opted to be deceptive, issuing false statements, as the following examples demonstrate:

- "Eritrea observes with great regret that the Government of Djibouti has chosen to engage in the levelling of incessant and baseless accusations against the Government of Eritrea. The fact is that there is no territorial or other dispute between Eritrea and Djibouti. Eritrea has made no incursion into the territory of Djibouti, and it does not have any territorial ambitions in the region" (24 June 2008, Permanent Representative of Eritrea before the Security Council)
- "... Contrary to the claims made, Eritrea has not taken any land that belongs to Djibouti, and it does not have any territorial ambitions" (23 October 2008, Permanent Representative of Eritrea before the Security Council)
- "... The border conflict is a 'diversionary scheme' ... Eritrea's position on the whole episode has been clarified repeatedly and does not merit repetition here

..." (Letter dated 24 October 2008 from the President of Eritrea addressed to the Secretary-General and the Security Council (S/2008/673, annex))

- "The Government of Eritrea has learned that the Security Council is mulling over the options of issuing a presidential statement or resolution against Eritrea in support of and to condone the unfounded accusations levelled by Djibouti. ... why is the Council bracing today to take punitive action against Eritrea on, at best, a putative and, at worst, a manufactured border dispute ..." (7 November 2008, letter from the President of Eritrea addressed to the President of the Security Council (S/2008/700, annex))

However, contrary to Eritrea's lies, rebuffs and denials, it is important to note the following few quotes form the report of the fact-finding mission:

- "Yet the situation must not be allowed to become another endless border dispute where facts are changed on the ground and two neighbours get dragged into endless disputes over how to deal with the new reality on the ground. Eritrea cannot continue saying that it has no issue with Djibouti when there is so much overwhelming evidence to confirm that there is a problem. Given that its actions are adversely affecting another country, Eritrea has an obligation to engage in dialogue over the situation that prevails in Doumeira."

- "An incontestable fact established by the fact-finding mission was that a stalemate situation has developed between Djibouti and Eritrea and that it can be resolved only through diplomatic means, especially because the current levels of military deployment are unsustainable and place an unfair burden on the peoples of both Djibouti and Eritrea."

- "... An important fact established by the Mission is that the Djiboutian authorities find it intolerable that a neighbour should attack their country, occupy their sovereign territory and worse still, refuse to engage in dialogue or explain its actions ...."

- "The situation remains fragile, volatile and urgent. The uneasy calm that prevails should not lull the United Nations into complacency. In the event that the offer by the United Nations [to send a mission or a special envoy] is again rebuffed by Eritrea, the matter should be referred to the Security Council for appropriate action. A sovereign country is being drawn into a crippling, unaffordable military mobilization, to deal with a situation that may ultimately threaten national, regional and international peace."

And, in continuation of its usual lies, Eritrea has been intensely engaged lately in deliberate and diversionary tactics designed to link its problem with Djibouti to their long-standing problem with Ethiopia, as the following statements underscore:

- "... In mid-April this year, the Addis Ababa regime invaded Mount Musa Ali, which lies at the confluence of the borders of the three countries thereby occupying sovereign Eritrea and Djiboutian lands." (Letter dated 7 July 2008, by the President of Eritrea, addressed to the President of the Security Council (S/2008/446, annex))

- "... Ethiopia has set up a new military camp on Mount Moussa Ali, perched at the junction of the three countries. Ethiopia has built, from the Djiboutian side, a network of roads winding up the mountain and deployed offensive long-

range artillery and heavy equipment directed at Eritrea ..." (23 October 2008, Permanent Representative of Eritrea before the Security Council)

Djibouti has never allowed its territorial integrity to be violated by any country, so that the latter could advance its military aims against Eritrea. Our history has demonstrated this, to say the least.

Another misstatement is that, after all, the two countries have had exchanges, as this statement indicates:

- "There have been numerous contacts between officials of the two Governments, including at the highest level. The two leaders spoke about the current developments and decided to address it in a calm and quiet manner that takes into account the sisterly relationship between the two countries and the need to ensure peace and security in the subregion" (24 June 2008 and 23 October 2008, Permanent Representative of Eritrea before the Security Council).

Apart from an uneventful, one-time talk, as long ago as April 2008, immediately after the aggression transpired, there is not an iota of truth in this. Unfortunately, we are aware of the shameless lies recounted repeatedly in the United Nations halls and corridors by Eritrea's representatives. One incontestable fact is that our lines have always been open since April 2008, and will continue to remain open.

In conclusion, I wish to convey the deep gratitude of the Government and people of Djibouti to the members of the Council, and to the Secretary-General and his collaborators for the keen interest and understanding they have consistently demonstrated since the outbreak of the Djibouti-Eritrea conflict in June 2008. I and my Prime Minister have both personally come to New York recently to interact with the United Nations on this crucial issue, to address the Council and to demonstrate our commitment to the rule of law and established international norms and behaviour, in particular with respect to this Organization's primacy in the maintenance of international peace and security. Indeed, the undisguised scorn by Eritrea to all our combined efforts so far raises a very basic concern ... how long will Eritrea be allowed to continue with her obstruction, and to defy the international community?

For us, obviously, any extended and open-ended entrenchment by Eritrea in Ras Doumeira and Doumeira Island is totally unacceptable. My people are anxiously awaiting action by the Security Council. Such action, within a certain time frame, relates most specifically to the demilitarization and withdrawal of forces from the conflict area; and acceptance by Eritrea that it has a border dispute with Djibouti which it must solve peacefully, consistent with diplomatic and legal practices.

We trust that the Security Council will not permit Eritrea to continue to prevaricate, challenging and misrepresenting its resolve. Once again, I reiterate what I stated before the Council on 23 October 2008: "don't leave my country with only one option: the option of war".

I would be grateful if the present letter could be circulated as a document of the Security Council.

(*Signed*) Ismail Omar **Guelleh**